

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

CRIMINAL MINUTES - BOND HEARING

Case No.: 6:12CR00015-001

Date: 6/13/2012

Defendant: James Bowers Johnson (custody)

**Counsel: Randy V. Cargill &
Andrea S.L. Harris (AFPD's)**

PRESENT:	JUDGE:	Norman K. Moon	TIME IN COURT: 3:00 – 3:45 (45 mins.)
	Deputy Clerk:	Fay Coleman	
	Court Reporter:	Darlene Owings w/Cavalier Reporting (sworn)	
	U. S. Attorney:	Pat Hogeboom	
	USPO:	Kim Mason	
	Case Agent:	Nick Pompei (IRS-CI)	
	Interpreter:	N/A	

BOND HEARING

- ☒ Bond hearing held. Witnesses called.
 - 1. Helen Momsen (defense)
 - 2. Nicholas Pompei (government)
- ☐ Government does not oppose bond.
- ☐ Defendant(s) not eligible for bond because state reasons not eligible
- ☒ Bond set at \$80,000 Secured. Written appearance bond and order setting conditions of release to follow.
- ☒ Defendant remanded to custody pending posting of secured bond.
- ☐ Bond denied. Defendant remanded to custody. Written detention order will follow.

In addition to the standard conditions of release, the following special conditions of release are imposed:

- ☐ The defendant shall avoid contact outside the presence of his/her counsel with any alleged victims or potential witnesses regarding his/her case.
- ☐ The defendant shall report as directed by the probation officer, and shall promptly report any personal status changes to the probation officer: this shall include immediately reporting any contact by law enforcement officers regarding a criminal investigation or any additional criminal charges placed against the defendant; the defendant shall continue to reside at his/her current residence, and shall not change residences without first obtaining permission from the probation officer.
- ☐ The defendant shall abstain from the excessive OR any use of alcohol or any use or possession of any controlled substances unless prescribed by a licensed treating physician for a legitimate medical purpose.
- ☐ The defendant shall not possess a firearm or other dangerous weapon and shall reside in a residence free of such.
- ☐ The defendant shall submit to random drug and or alcohol testing as directed by the probation officer.
- ☐ The defendant shall not travel outside the Western District of Virginia without first obtaining permission from the probation officer.
- ☐ The defendant shall submit to warrantless search and seizure of his/her person and property as directed by the probation officer for the purpose of determining if he/she is in compliance with his/her conditions of pretrial release.
- ☐ The defendant shall actively seek and/or maintain employment.

- ☐ The defendant shall maintain or commence an education program.
- ☒ The defendant shall surrender his/her passport to the Probation Office to be held pending further order of the court; the defendant shall not apply to obtain a passport.
- ☐ The defendant shall not associate with any known users/possessors of illegal controlled substances and shall not be present in any location where illegal controlled substances are being used and/or distributed, unless approved by his/her supervising officer in cooperation with law enforcement officers.
- ☐ The defendant shall be placed on home detention subject to electronic monitoring and all residential absences must be approved in advance by the probation officer.
- ☐ The defendant shall continue in his/her current mental health OR substance abuse OR both counseling/treatment program at his/her own expense.
- ☐ The defendant shall allow the probation officer open communication with any treatment agencies or health care providers for the purpose of monitoring the defendant's compliance with all treatment requirements.
- ☐ Any animals on the premises of the defendant's residence must be restrained in a way so as to not interfere with the probation officer's access to the defendant's residence and to ensure the officer's safety.
- ☐ Defendant advised of penalties and sanctions for failure to appear and/or violating conditions of release.

Additional Information:

Additional special conditions of release: 1. no new lines of credit
2. Defendant to reside with his mother. Any time the defendant does not return home by 10 p.m., the mother must report it to U.S. Probation Office.

Oral motion by defense to continue the jury trial. Oral order granting this motion as the ends of justice require the continuance. Court directs counsel to contact scheduling clerk to agree on a new date

Court will allow mother to post the necessary bond papers at the Harrisonburg Clerk's Office.